	Application No.	Applicant(s)
Notice of Allowability	10/811,308	KOCH ET AL.
	Examiner	Art Unit
	James J. Leybourne	2881
The MAILING DATE of this communication appears on the cover sheet with the correspondence address All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.		
1. This communication is responsive to <u>Amendment received 11/01/2006</u> .		
2. The allowed claim(s) is/are <u>1-8 and 19</u> .		
3.		
Attachment(s)  1. Notice of References Cited (PTO-892)  2. Notice of Draftperson's Patent Drawing Review (PTO-948)  3. Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date  4. Examiner's Comment Regarding Requirement for Deposit of Biological Material	5. Notice of Informal F 6. Interview Summary Paper No./Mail Da 7. Examiner's Amend 8. Examiner's Statem 9. Other	(PTO-413), te

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## **DETAILED ACTION**

1. According to the Amendment received 14 December 2006, claims 9-18 has been cancelled and claim 19 has been added.

## Terminal Disclaimer

2. The terminal disclaimer received February 01, 2007 disclaiming the terminal portion of any patent granted on this application which would extend beyond expiration date of U.S. Patent No. 6,710,354 has been reviewed and accepted. The terminal disclaimer has been recorded.

## Allowable Subject Matter

- 3. Claims 1- 8 and 19 are allowed.
- 4. The following is an examiner's statement of reasons for allowance:

  Claims 1-8 are allowed in view of the submission of the Terminal Disclaimer.

  Except for the obvious double patenting no prior art was found to disclose the Applicant's invention.
- 5. Claim 19 is allowed by virtue of its dependency on claim 1.
- 6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance"

## Conclusion

- Any inquiry concerning this communication or earlier communications from the 7. examiner should be directed to James J. Leybourne whose telephone number is (571) 272-2478. The examiner can normally be reached on M-F 9:00- 6:30.
- If attempts to reach the examiner by telephone are unsuccessful, the examiner's 8. supervisor, Robert Kim can be reached on (571) 272-2293. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.
- Information regarding the status of an application may be obtained from the 9. Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have guestions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). David A. Vanore Ring France Art Unit 28th

March 28, 2007

JJL